

## PATENT

PATENT COOPERATION TREATY  
IN THE UNITED STATES PATENT OFFICE RECEIVING OFFICE  
 CERTIFICATE UNDER 37 C.F.R. §1.10

I hereby certify that the documents enclosed herein are being deposited with the United States Postal Service on this 19 day of October, 2005 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV114074006US addressed to: MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-1450.

  
 Michelle Ludwig

In re application of: Cavato et al.	)
	) Examiner: Unknown
Serial No. 10/523,290	)
	) Group Art Unit: Unknown
Filed: February 3, 2005	)
	) Conf. No. 5924
For: Corn Event PV-ZMIR13 (MON 863)	)
Plants and Compositions and Methods	)
for Detection Thereof	)

MAIL STOP PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

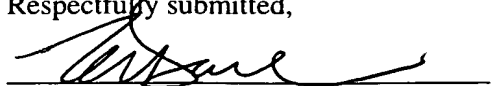
TRANSMITTAL LETTER

Transmitted herewith are the following documents in the above-identified application.

- X Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
- X Declaration for Utility or Design Patent Application
- X Fee Transmittal for Year 2005
- X Please Charge Deposit Account No. 13-4125 in the amount of \$130.00 for the fee believed required with this filing.
- X If an extension or an additional extension of time is required, but is not enclosed, please consider this a conditional petition therefor and charge Deposit Account 13-4125 accordingly
- X Please charge any deficiencies or credit any overpayment to Deposit Account 13-4125. A duplicate copy of this sheet is attached.

10/25/2005 GFREY1 00000099 134125 10523290  
 01 FC:1617 130.00 DA

Respectfully submitted,

  
 Timothy K. Ball, Ph.D., Esq.  
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 (314) 694-5811  
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**FEE TRANSMITTAL  
for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 130**Complete if Known**

Application Number	10/523,290
Filing Date	February 3, 2005
First Named Inventor	Tracey A. Cavato
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	38-21(52221)B

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None Order☒ Deposit Account:Deposit  
Account  
Number

13-4125

Deposit  
Account  
Name

Monsanto Company

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fees under 37 CFR 1.16 and 1.17☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1011	300	2011	150	Utility filing fee	
1012	200	2012	100	Design filing fee	
1013	200	2013	100	Plant filing fee	
1014	300	2014	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	
<b>SUBTOTAL (1)</b>					(\$) 0

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		-20 **	=	0	X		=	0
Independent Claims		-3 **	=	0	X		=	0
Multiple Dependent			=				=	0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	50	2202	25	Claims in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	360	2203	180	Multiple dependent claim, if not paid	
1204	200	2204	100	** Reissue independent claims over original patent	
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					(\$) 0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1000	2403	500	Request for oral hearing	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1500	2453	750	Petition to revive - unintentional	
1501	1400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** (\$130)**4. SEARCH/EXAMINATION FEES**

1111	500	2111	250	Utility Search Fee	
1112	100	2112	50	Design Search Fee	
1113	300	2113	150	Plant Search Fee	
1114	500	2114	250	Reissue Search Fee	
1311	200	2311	100	Utility Examination Fee	
1312	130	2312	65	Design Examination Fee	
1313	160	2313	80	Plant Examination Fee	
1314	600	2314	300	Reissue Examination Fee	
<b>SUBTOTAL (4)</b>					(\$)0

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)

Timothy K. Ball, Ph.D., Esq.

Registration No.  
(Attorney/Agent)

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Telephone

(314) 694-5811

Signature

Date

Oct 19 2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

Received  
9/13/2005

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/523,290	Tracey A Cavato	38-21(52221)B

INTERNATIONAL APPLICATION NO.

PCT/US03/22860

I.A. FILING DATE

PRIORITY DATE

07/23/2003

07/29/2002

Timothy K Ball  
MONSANTO COMPANY c/o Gail Wuellner  
800 North Lindbergh Boulevard  
Mail Zone E2NA  
St. Louis, MO 63167

CONFIRMATION NO. 5924  
371 FORMALITIES LETTER  
\*OC000000016949717\*  
\*OC000000016949717\*

Date Mailed: 09/07/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/03/2005
- Copy of the International Search Report filed on 02/03/2005
- Copy of IPE Report filed on 02/03/2005
- Preliminary Amendments filed on 02/03/2005
- Biochemical Sequence Diskette filed on 02/03/2005
- Biochemical Sequence Listing filed on 02/03/2005
- Request for Immediate Examination filed on 02/03/2005
- U.S. Basic National Fees filed on 02/03/2005
- Priority Documents filed on 02/03/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

GW

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,290	PCT/US03/22860	38-21(52221)B

FORM PCT/DO/EO/905 (371 Formalities Notice)